

110TH CONGRESS
1ST SESSION

S. 627

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

Mr. HARKIN (for himself, Mr. SMITH, Mr. SPECTER, and Mr. MARTINEZ) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Babies Act of
5 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) Children three years of age and younger
2 have the highest rates of victimization. Infants and
3 toddlers are twice as likely as all other children to
4 become victims of child maltreatment. Children ages
5 three and younger are also 32 percent more likely to
6 be placed in foster care than children ages four to
7 eleven. Once placed in foster care, children three
8 years of age and younger are more likely than older
9 children to be abused and neglected, and they tend
10 to stay in foster care longer than older children.

11 (2) Infants and toddlers are the most vulner-
12 able to the effects of maltreatment. Research shows
13 that young children who have experienced physical
14 abuse have lower social competence, show less empa-
15 thy for others, and have difficulty recognizing oth-
16 ers' emotions. They are also more likely than chil-
17 dren who have not been maltreated to have deficits
18 in IQ scores, language ability, and school perform-
19 ance.

20 (3) Research shows that the human brain has
21 achieved 80 to 85 percent of its adult size by the age
22 of three. During those early years, the brain is de-
23 veloping the vast majority of its basic capacity, the
24 development of which can determine future achieve-
25 ment or failure. Therefore, infants and toddlers in

1 foster care are spending the most critical develop-
2 mental period in situations that may be detrimental
3 to healthy growth and development.

4 (4) Children under the age of four account for
5 81 percent of child fatalities, and children under the
6 age of one account for 45 percent of such fatalities.

7 (5) Child welfare systems are not meeting the
8 needs of the children who rely on public intervention
9 to protect them. In the Child and Family Service
10 Reviews for fiscal years 2003 and 2004, the Admin-
11 istration for Children and Families revealed that, of
12 19 States studied for performance on Child and
13 Family Services Review indicators, none of the
14 States achieved all of the specified outcomes, and all
15 of the States failed to meet the outcome related to
16 the provision of physical and mental health services
17 to children in foster care.

18 (6) Judges can be powerful catalysts for change
19 in the way communities address the needs of mal-
20 treated infants and toddlers. A groundbreaking
21 project in the Juvenile Division of the Eleventh Ju-
22 dicial Circuit of Florida has combined the leadership
23 of a family court judge with expertise in early child-
24 hood development. This ground breaking collabora-
25 tion is ensuring that infants and toddlers receive the

1 services they need. Mental health and parenting
 2 intervention services are provided for parents and
 3 children together. Initial results are promising in
 4 terms of eliminating further abuse and neglect and
 5 promoting safety and well-being through timely per-
 6 manent placements.

7 **SEC. 3. COURT TEAMS.**

8 Title II of the Juvenile Justice and Delinquency Pre-
 9 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amend-
 10 ed—

- 11 (1) by redesignating part F as part G; and
 12 (2) by inserting after part E the following new
 13 part:

14 **“PART F—COURT TEAMS**

15 **“SEC. 271. COURT TEAMS PROGRAM AUTHORIZED.**

16 “(a) GRANT AUTHORIZED.—The Administrator shall
 17 award a grant to a national early childhood development
 18 organization to—

19 “(1) establish a National Court Teams Re-
 20 source Center to—

21 “(A) promote the well-being of maltreated
 22 infants and toddlers and their families (includ-
 23 ing the special problems created by substance
 24 abuse, particularly methamphetamine abuse);

1 “(B) help prevent the recurrence of abuse
2 and neglect of children; and

3 “(C) promote timely reunification of fami-
4 lies or other successful permanency outcomes
5 for maltreated infants and toddlers in foster
6 care; and

7 “(2) select, and provide assistance to, local
8 Court Teams created to achieve the goals described
9 in paragraph (1).

10 “(b) GRANT DURATION.—The grant awarded under
11 this part shall be for a period of 5 years, and shall be
12 renewable at the discretion of the Administrator.

13 **“SEC. 272. ELIGIBILITY; APPLICATION; SELECTION OF**
14 **GRANTEE.**

15 “(a) ELIGIBILITY.—To be eligible to receive the grant
16 described in section 271, an entity shall be a national early
17 childhood development organization, as defined in section
18 276, that has—

19 “(1) specific expertise in the development of in-
20 fants and toddlers;

21 “(2) experience in incorporating the expertise
22 described in paragraph (1) into the judicial system
23 to promote change in the way courts address cases
24 involving maltreated infants and toddlers in foster
25 care; and

1 “(3) the capacity—

2 “(A) to establish and maintain the Na-
3 tional Court Teams Resource Center described
4 in section 273; and

5 “(B) to support the implementation and
6 activities of local Court Teams by providing the
7 assistance required under this part.

8 “(b) APPLICATION.—An entity desiring to receive the
9 grant described in section 271 shall submit an application
10 to the Administrator, at such time, in such manner, and
11 containing such information as the Administrator may re-
12 quire. Such application shall—

13 “(1) describe the expertise of the entity in in-
14 fant and toddler development, including any experi-
15 ence relevant to the ability of the entity to oversee
16 the implementation of local Court Teams, and the
17 capacity of the entity to provide assistance to local
18 Court Teams;

19 “(2) include a detailed plan describing how the
20 entity will establish and maintain the National Court
21 Teams Resource Center, and how the entity will
22 carry out the activities of such Center, as described
23 in section 273; and

24 “(3) explain the process the entity will use to
25 select local Court Teams to receive assistance under

1 this part, including an assurance that the entity will
 2 give priority to applications that—

3 “(A) demonstrate the commitment of—

4 “(i) at least one qualified judge to
 5 lead the local Court Team and serve as Ju-
 6 dicial Leader of the Court Team; and

7 “(ii) community agencies serving mal-
 8 treated infants and toddlers and their fam-
 9 ilies in such jurisdiction to participate in
 10 the local Court Team;

11 “(B) describe the population of maltreated
 12 infants and toddlers in the community within
 13 the jurisdiction of the court over which the
 14 qualified judge presides, including—

15 “(i) any problems contributing to the
 16 placement of maltreated infants and tod-
 17 dlers under the supervision of the court
 18 (including the impact of parental substance
 19 abuse, and particularly methamphetamine
 20 abuse); and

21 “(ii) any challenges faced by the court
 22 in making decisions that are in the best in-
 23 terests of such maltreated infants and tod-
 24 dlers; and

1 “(C) describe how the local Court Team
2 will carry out the activities required under sec-
3 tion 274;

4 “(4) demonstrate the ability to meet the all se-
5 lection criteria, including—

6 “(A) special expertise in the developmental
7 needs of children three years of age and young-
8 er;

9 “(B) a demonstrated record of providing
10 resources to parents and other caregivers re-
11 garding the healthy growth and development of
12 their children;

13 “(C) a demonstrated record of providing
14 resources for practitioners in the fields of child
15 development, early child care and education,
16 family support, pediatrics, child welfare, and
17 mental health;

18 “(D) extensive knowledge about how expo-
19 sure to violence (including domestic violence,
20 community violence, and child maltreatment)
21 influences the growth and development of in-
22 fants and toddlers;

23 “(E) a documented history of collaboration
24 with public and private sector groups working
25 to improve the lives of maltreated infants and

1 toddlers, including collaboration with judges at
2 the local level;

3 “(F) the capacity to analyze child welfare
4 policy at the local, State, and national levels
5 and to offer research-based solutions to the
6 problems confronting child welfare systems
7 across the country; and

8 “(G) the ability to manage multiple com-
9 plex national resource centers and related ac-
10 tivities, including strategic planning, team
11 building, infrastructure development, training
12 for multidisciplinary professionals at all levels,
13 materials development for multiple audiences in
14 a variety of formats, and conference planning
15 and delivery at the local, State, regional, and
16 national levels; and

17 “(5) include any other information the Adminis-
18 trator may require, including any assurance required
19 by the Administrator that the entity, if selected, will
20 give special consideration to applications that have a
21 significant number of child welfare cases in the ju-
22 risdiction of the court over which the qualified judge
23 presides in which substance abuse, and particularly
24 methamphetamine abuse, is involved.

1 “(c) SELECTION OF GRANTEE.—In considering grant
 2 applications under this part, the Administrator shall select
 3 the national early childhood development organization that
 4 demonstrates—

5 “(1) the greatest ability to satisfy the criteria
 6 described in subsection (b)(4); and

7 “(2) the most extensive experience in address-
 8 ing the needs of abused and maltreated infants and
 9 toddlers through training and technical assistance
 10 provided to judges, multidisciplinary professionals
 11 and community leaders.

12 **“SEC. 273. NATIONAL COURT TEAMS RESOURCE CENTER.**

13 “(a) GENERAL ACTIVITIES.—The national early
 14 childhood development organization receiving the grant
 15 authorized under section 271 shall establish and maintain
 16 a National Court Teams Resource Center, which shall
 17 carry out the following activities:

18 “(1) Develop a process for selecting, and select,
 19 local Court Teams to receive assistance under this
 20 part.

21 “(2) Develop materials to guide qualified judges
 22 in the decision-making process regarding maltreated
 23 infants and toddlers, and to train members of local
 24 Court Teams and others in the community regarding

1 the appropriate care of maltreated infants and tod-
2 dlers, including the importance of—

3 “(A) stable foster care placements;

4 “(B) frequent parent-child visitation;

5 “(C) reduction of the recurrence of abuse
6 and neglect;

7 “(D) improving health and well-being; and

8 “(E) timely permanent placement.

9 “(3) Conduct national meetings and training
10 sessions for local Court Teams.

11 “(4) Develop a database that shall be—

12 “(A) available to each local Court Team to
13 track such Court Team’s progress; and

14 “(B) used by the National Court Teams
15 Resource Center to facilitate evaluation of the
16 local Court Teams receiving assistance under
17 this part.

18 “(5) Provide information to communities and
19 courts around the country seeking to adopt the
20 Court Teams approach, including information re-
21 lated to—

22 “(A) the incorporation of knowledge about
23 infant and toddler development into the resolu-
24 tion of cases by judges with jurisdiction over
25 children in foster care; and

1 “(B) methods to change State and local
 2 government systems for addressing the needs of
 3 infants and toddlers in the foster care, and
 4 their families.

5 “(6) Any other activity necessary to provide the
 6 assistance required under subsection (b).

7 “(b) ASSISTANCE TO LOCAL COURT TEAMS.—Assist-
 8 ance provided to local Court Teams by the National Court
 9 Teams Resource Center shall include—

10 “(1) providing direction, coordination, and over-
 11 sight of the implementation of local Court Teams, as
 12 needed;

13 “(2) providing a Local Community Coordinator
 14 for each local Court Team, who shall—

15 “(A) be selected by the National Court
 16 Teams Resource Center after consultation with
 17 the Judicial Leader of the local Court Team;

18 “(B) serve as a resource of child develop-
 19 ment expertise for the local Court Team; and

20 “(C) promote coordination (in the jurisdic-
 21 tion of the court over which the Judicial Leader
 22 presides) between—

23 “(i) community agencies that serve
 24 children; and

1 “(ii) providers of resources to support
2 maltreated infants and toddlers;

3 “(3) providing training and technical assistance
4 to local Court Teams, including—

5 “(A) individual consultation on site,
6 through telephone conversations, and through
7 responses to emailed information requests;

8 “(B) networking assistance and facilitation
9 of telephone conference calls among Judicial
10 Leaders and local Court Team members in dif-
11 ferent jurisdictions to discuss issues of common
12 concern;

13 “(C) development and dissemination of
14 training materials, including fact sheets, tem-
15 plate forms, and sample operational materials
16 developed by local Court Teams; and

17 “(D) training for local Court Teams re-
18 lated to—

19 “(i) the impact of abuse and neglect
20 on infants and toddlers; and

21 “(ii) improved decision-making by
22 courts regarding maltreated infants and
23 toddlers to reduce the recurrence of abuse
24 and neglect and improve developmental
25 outcomes; and

1 “(4) organizing local training for community
2 members of jurisdictions in which local Court Teams
3 are located, which shall relate to the particular needs
4 of infants and toddlers exposed to maltreatment and
5 trauma, including topics such as—

6 “(A) general infant and toddler develop-
7 ment;

8 “(B) the impact of abuse and neglect on
9 development;

10 “(C) a relationship-based mental health
11 intervention model for parents and children to-
12 gether;

13 “(D) best-practices in family interactions;

14 “(E) evidence-based parenting interven-
15 tions; and

16 “(F) services available to foster children in
17 the community.

18 **“SEC. 274. LOCAL COURT TEAMS.**

19 “(a) APPLICATION.—An entity desiring to receive the
20 assistance for local Court Teams made available under
21 this part shall submit an application to the National Court
22 Teams Resource Center at such time, in such manner, and
23 containing such information as the National Court Teams
24 Resource Center may require.

1 “(b) ELIGIBILITY.—To be eligible to receive assist-
2 ance under this part, a local Court Team shall be com-
3 prised of—

4 “(1) a Judicial Leader, who shall be a qualified
5 judge, and who shall lead and oversee the implemen-
6 tation and ongoing activities of the local Court
7 Team;

8 “(2) a Local Community Coordinator, selected
9 and provided by the National Court Teams Resource
10 Center in accordance with section 273(b)(2); and

11 “(3) no fewer than six key stakeholders who—

12 “(A) are members of the community in
13 which the local Court Team is located;

14 “(B) are committed to working to restruc-
15 ture the way the jurisdiction responds to the
16 needs of maltreated infants and toddlers; and

17 “(C) represent a variety of individuals in-
18 volved with the care of maltreated infants and
19 toddlers, which may include pediatricians, child
20 welfare workers, attorneys, court-appointed spe-
21 cial advocates, mental health professionals, sub-
22 stance abuse treatment providers, Early Head
23 Start and child care providers, Court Improve-
24 ment Program staff, and any other individuals

1 who are involved in the care of maltreated in-
2 fants and toddlers.

3 “(c) REQUIRED USE OF ASSISTANCE.—A local Court
4 Team shall use any assistance received under this part to
5 carry out the following activities:

6 “(1) Conducting monthly case reviews of each
7 case handled by the local Court Team, in which all
8 individuals and organizations involved in a case meet
9 to review progress in such case, and to monitor and
10 track referral to, delivery of, and barriers against,
11 services for maltreated infants and toddlers and
12 their families.

13 “(2) Incorporating child-focused services into
14 case plans for maltreated infants and toddlers, in-
15 cluding services such as medical, developmental, and
16 mental health interventions and, as appropriate,
17 services for children and parents together.

18 “(3) Organizing the provision of local training
19 (provided by the National Court Teams Resource
20 Center) to community members of the jurisdiction in
21 which the local Court Team is located, including
22 court officials, child welfare agencies, attorneys,
23 Guardians Ad Litem, court-appointed special advo-
24 cates, and other individuals and organizations pro-
25 viding services to infants and toddlers in foster care.

1 “(4) Identifying areas in the community in need
2 of improved mental health and substance abuse
3 treatment, and assisting the National Court Teams
4 Resource Center in improving mental health treat-
5 ment for parents and children together, and sub-
6 stance abuse treatment for families (including moth-
7 ers and children), as needed.

8 “(5) Utilizing resource materials disseminated
9 by the National Court Teams Resource Center to
10 guide judges in the decision-making process regard-
11 ing maltreated infants and toddlers, and to provide
12 training for Court Team members.

13 “(6) Participating in the national evaluation
14 conducted by the Administrator in accordance with
15 section 275, to determine the extent to which the ac-
16 tivities of the local Court Team reduce the recur-
17 rence of abuse and neglect and improve health and
18 developmental outcomes for maltreated infants and
19 toddlers.

20 “(d) PERMISSIBLE USE OF ASSISTANCE.—A local
21 Court may use the assistance received under this part to
22 carry out the following activities:

23 “(1) Developing processes for responding to pa-
24 rental substance abuse, such as—

1 “(A) coordinating with local law enforce-
 2 ment agencies to allow rapid response teams to
 3 intervene quickly on behalf of infants and tod-
 4 dlers who are identified by law enforcement per-
 5 sonnel as being present during illegal activities
 6 related to methamphetamines or other illegal
 7 substances; and

8 “(B) establishing and maintaining relation-
 9 ships with substance abuse treatment programs
 10 to increase access to treatment for parents of
 11 maltreated infants and toddlers.

12 “(2) Identifying the areas in the community in
 13 need of early childhood mental health services, and
 14 assisting the National Court Teams Resource Center
 15 in providing relationship-based early childhood men-
 16 tal health services by providing training on parent-
 17 child psychotherapy to mental health providers.

18 “(3) Any other activities that help meet the
 19 needs and improve the health and developmental
 20 outcomes of maltreated infants and toddlers in fos-
 21 ter care.

22 **“SEC. 275. EVALUATIONS AND REPORTS.**

23 “(a) EVALUATION FORM.—Not later than 6 months
 24 after the date of the enactment of this Act, the National
 25 Court Teams Resource Center shall create, and distribute

1 to each local Court Team, an evaluation form that shall
 2 be used to periodically collect any data from local Court
 3 Teams that the National Court Teams Resource Center
 4 determines may be relevant to the reports required by sub-
 5 section (b).

6 “(b) REPORTS TO CONGRESS BY THE ADMINIS-
 7 TRATOR.—At the end of the three-year period beginning
 8 on the date of the enactment of this Act, and again at
 9 the end of the five-year period beginning on such date of
 10 enactment, the Administrator shall—

11 “(1) compile the data collected in the periodic
 12 evaluation forms completed by each local Court
 13 Team;

14 “(2) conduct a national evaluation of Court
 15 Teams, based on such compilation of data; and

16 “(3) report to Congress on the effectiveness of
 17 Court Teams, including the extent to which local
 18 Court Teams are—

19 “(A) improving access to services for mal-
 20 treated infants and toddlers;

21 “(B) reducing the recurrence of abuse and
 22 neglect;

23 “(C) promoting permanent placements of
 24 maltreated infants and toddlers; and

1 “(D) improving the developmental out-
 2 comes for maltreated infants and toddlers who
 3 have been in foster care.

4 **“SEC. 276. DEFINITIONS.**

5 “For the purposes of this part:

6 “(1) COURT-APPOINTED SPECIAL ADVOCATE.—

7 The term ‘court-appointed special advocate’ means
 8 an individual who is trained by a recognized court-
 9 appointed special advocate program and appointed
 10 by a court to advocate for the best interests of chil-
 11 dren who come into the court system primarily as a
 12 result of abuse or neglect.

13 “(2) COURT IMPROVEMENT PROGRAM.—The
 14 term ‘Court Improvement Program’ means a pro-
 15 gram authorized under section 438 of the Social Se-
 16 curity Act (42 U.S.C. 629h).

17 “(3) GUARDIAN AD LITEM.—The term ‘Guard-
 18 ian Ad Litem’ means an attorney or court-appointed
 19 special advocate who is appointed by a court to ad-
 20 vocate for the best interests of children who come
 21 into the court system primarily as a result of abuse
 22 or neglect.

23 “(4) MALTREATED INFANT OR TODDLER.—The
 24 term ‘maltreated infant or toddler’ means any child
 25 three years of age or younger who is the victim of

1 a substantiated case of physical abuse, neglect, med-
 2 ical neglect, sexual abuse, or emotional abuse.

3 “(5) NATIONAL EARLY CHILDHOOD DEVELOP-
 4 MENT ORGANIZATION.—The term ‘national early
 5 childhood development organization’ means a na-
 6 tional, private, nonprofit organization—

7 “(A) that is dedicated to supporting the
 8 healthy development and well-being of infants,
 9 toddlers, and their families; and

10 “(B) that has the capacity for research,
 11 training, information dissemination, and leader-
 12 ship development in all of the professional dis-
 13 ciplines related to infants and toddlers three
 14 years of age and younger.

15 “(6) QUALIFIED JUDGE.—The term ‘qualified
 16 judge’ means a judge who presides over a court that
 17 has jurisdiction over children in foster care, such as
 18 a judge for a dependency court or family court.”.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 299 of the Juvenile Justice and Delinquency
 21 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

22 (1) in subsection (a)—

23 (A) in the header, by striking “PARTS C
 24 AND E)” and inserting “PARTS C, E, AND F)”;
 25 and

1 (B) in paragraph (2), by striking “parts C
2 and E)” and inserting “parts C, E, and F)”;

3 (2) by redesignating subsection (d) as sub-
4 section (e); and

5 (3) by inserting after subsection (c) the fol-
6 lowing new subsection:

7 “(d) AUTHORIZATION OF APPROPRIATIONS FOR
8 PART F.—There are authorized to be appropriated to
9 carry out part F, \$5,000,000 for each of fiscal years 2008,
10 2009, 2010, 2011, and 2012.”.

○